

# Overview of rights and benefits for a person who is a CalPERS and CalSTRS member

	CalPERS	CalSTRS
<b>CONCURRENT EMPLOYMENT</b>	CalPERS permits concurrent employment. When concurrent employment occurs during the final compensation period, the highest compensation earned under either system is used in determining final compensation	SECTION 22115.2: Teachers' Retirement Law permits concurrent employment.  When concurrent employment occurs during final compensation period, compensation earnable for CalSTRS is used in determining final compensation.
<b>CONCURRENT RETIREMENT</b>	CalPERS will calculate the retirement benefit using the highest final compensation under either system as long as the member retires under both systems on the <b>same date</b> .	SECTION 22115.5: CalSTRS permits a member to retire from a concurrent retirement system and at a later date from CalSTRS and still receive concurrent benefits as long as there is no credited service performed in either system between the two retirement dates.
<b>ELIGIBILITY FOR NON-RECIPROCAL BENEFITS</b>	SECTION 20731: Member leaves service and contributions on deposit and becomes a member of CalSTRS.	SECTION 22115.2: Member leaves service and contributions on deposit and becomes a member of CalPERS.
<b>REDEPOSIT RIGHTS</b>	SECTION 20752: A person who was a member of CalPERS and refunded, has a right to redeposit previously withdrawn contributions in CalPERS to reestablish service credit and membership if they are now a member of a reciprocal or non-reciprocal system.  A former CalPERS member does not have to be employed by a CalPERS employer while paying for the redeposit.	SECTION 23201: A person who was a member of CalSTRS and refunded, is eligible to redeposit withdrawn contributions and interest if the person is a member of CalPERS, UCRS, LRS, SFCCRS or 1937 Act County Retirement System.  A former CalSTRS member does not have to be employed by a CalSTRS employer while paying for the redeposit. Once payment on the redeposit is complete, the person is reestablished to active member status.
<b>REFUND RESTRICTION</b>	SECTION 20731: A member may not withdraw their contributions while a member of CalSTRS.  Contributions may be withdrawn <u>prior</u> to entering employment with CalSTRS or upon separation from employment covered by a non-reciprocal system and system notifies CalPERS the member has refunded or retired.	SECTION 23103: A member is eligible to withdraw contributions upon termination of CalSTRS covered employment. Member must be informed to contact other retirement system to determine the impact of a refund on status with that system.

<b>MINIMUM AGE REQUIREMENT</b>	<p>SECTION 21060: Age 50 – State first tier, mixed tier, public agency and school member.</p> <p>SECTION 21074, 21093: Age 55 – State &amp; local miscellaneous second tier member.</p>	<p>SECTION 24203: Age 50 – Retire for service if they have earned 30 years of service credit under CalSTRS.</p> <p>SECTION 24201: Age 55 – Retire for service if 5 years of service credit under CalSTRS.</p>
<b>MINIMUM SERVICE REQUIREMENT</b>	<p>SECTION 20731, 20752: A member is entitled to retire without meeting the minimum service credit requirement when membership is established with CalSTRS.</p> <p>Service rendered as an employee of CalSTRS is not used in the calculation &amp; determination of retirement allowance payable.</p>	<p>SECTION 24201(2): A member who is eligible to receive a benefit from another retirement system may retire for service after attaining age 55 regardless of the number of years earned in CalSTRS, provided retirement is concurrent with retirement from at least one of the other systems. (Note: the retiree must meet the retirement eligibility requirements for at least one system in order to retire concurrently.)</p> <p>Only CalSTRS service is used in the calculation of CalSTRS benefit.</p>
<b>FINAL COMPENSATION</b>	<p>SECTION 20639: CalPERS will use the highest consecutive 12 or 36 months compensation earnable under either system to calculate final compensation if member retires concurrently.</p>	<p>SECTION 22134, 22135 &amp; 22134.5: CalSTRS will use the highest consecutive 36 months of compensation earnable in either system to calculate final compensation unless member meets CalSTRS criteria for one-year final compensation or non-consecutive final compensation.</p>
<b>DISABILITY RETIREMENT</b>	<p>There is no provision for the payment of a CalPERS disability retirement. If the member is entitled to a disability retirement or <b>allowance*</b> from CalSTRS the member must retire for service retirement with CalPERS on the same date for the provisions of final compensation to apply.</p> <p>*If a member is receiving a disability <b>allowance</b> from CalSTRS, they can retire for service with CalPERS either at the time they start receiving the disability allowance (if minimum retirement age) or at age 60 when the disability allowance under CalSTRS is changed to a service retirement.</p>	<p>SECTION 24101 A member must be vested in CalSTRS to receive a disability retirement.</p> <p>CalSTRS uses compensation earned in the other system if it is greater and the retirement date is concurrent.</p>